

cTHE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION No.46584 of 2022

ORDER:

This writ petit this writ petition is filed for the following relief:

“...to issue writ order or direction more particularly one in the nature of Writ of Mandamus, to declare the action of the 4th respondent in not disposing of the appeal filed by the petitioner dated 17.11.2021 as illegal, arbitrary and unconstitutional and consequently direct the 4th respondent to dispose of the appeal filed by the petitioner.....”

2. Heard Sri Shashank Garige, Learned Counsel appearing for the for the petitioner, and learned Government Pleader for Service-II appearing for the respondents.

3. The learned Counsel for the petitioner submits that while the petitioner was working as Hostel Welfare Officer-Grade-II at Social Welfare Hostel for Girls, Dahegon, on 17.07.2012 at about 5 p.m the local M.L.A. and the M.P.D.O visited the said hostel and at that time the

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petitioner as well as none of the students were present in the hostel, because on the previous days a snake entered into the hostel and due to fear all the students went to their respective village. On the day of inspection the petitioner went to the village to get back the students and in the meanwhile the MPDO and MLA visited the hostel and locked the office room. Thereafter the petitioner was placed under suspension on 19.07.2012 and thereafter she was reinstated into service. An enquiry was conducted and basing on the report of the Enquiry officer the 2nd respondent imposed punishment of stoppage of one increment with cumulative effect. Aggrieved by the said order the petitioner filed appeal before the 4th respondent to consider the appeal by condoning the delay since 12.02.2014 till the date of filing of the appeal on 17.11.2021, but so far the appeal of the petitioner was considered nor passed any orders thereon and requested to allow the Writ petition.

4. Whereas, learned Assistant Government Pleader for the respondents would submit that respondent-authorities

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will consider the appeal and pass appropriate orders thereon in accordance with law.

5. In view the submissions made by the learned Counsel for the petitioner, as well as the learned Government Pleader, without going into merits of the case, this Writ petition is disposed of, with a direction to the respondent No.4 to dispose of the appeal filed by the petitioner dated 17.11.2021, within eight (8) weeks from the date receipt of copy of this order.

6. As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE K.SARATH, J

Date: 13.02.2023

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